

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-2 and 4-18 are pending. Claims 1, 6, and 7 are amended. Claim 3 was canceled previously. Claims 15-18 are newly added. Support for the amendments to Claims 1, 6, and 7 can be found in numbered paragraphs [0050] and [0094] of the published application, for example. Support for newly added Claim 15 can be found in numbered paragraph [0066] and in Fig. 10, for example. Support for newly added Claim 16 can be found in numbered paragraph [0063] and Fig. 7, for example. Support for newly added Claim 17 can be found in numbered paragraph [0058] and Fig. 3, for example. Support for newly added Claim 18 can be found in Fig. 3, for example. No new matter is added.

In the outstanding Office Action, the allowability of Claim 2 was withdrawn. Claim 2 was rejected under 35 U.S.C. § 103(a) as obvious over Kenmochi et al. (U.S. Patent No. 6,245,413, herein "Kenmochi"). Claims 1 and 4-14 were rejected under 35 U.S.C. § 103(a) as obvious over Kenmochi in view of Brown et al. (U.S. Patent No. 6,550,092, herein "Brown").

As discussed during the telephone conference with Primary Examiner Redding, the outstanding Office Action should not have been made final as Applicants have not had a previous opportunity to address the rejection of now-rejected Claim 2. Claim 2, which was indicated in the previous Office Action as reciting allowable subject matter, was amended in the previous response to include all of the features of independent Claim 1, from which dependent Claim 2 depended. Accordingly, the scope of Claim 2 was not changed in the previous response, and therefore, under MPEP § 706.07(a), the outstanding Office Action should not have been made final. As discussed in the telephone conference of April 10, 2007, the finality of the outstanding Office Action should be withdrawn.

Regarding the rejection of Claim 2 as obvious over Kenmochi, that rejection is respectfully traversed by the present response.

Independent Claim 2 recites, in part:

the wiping portion, in the state attached to the head, having a plurality of tacky recesses open to at least one direction selected from the directions to the front, the rear, the left, and the right of the head and having a pointed or curved shape projecting in the at least one direction between borders of adjacent two of the recesses, the borders being along the at least one direction,

wherein the recesses open to opposite directions are interconnected to each other in a configuration such that the interconnected recesses are impenetrable from the opposite directions.

Accordingly, the recesses are interconnected to each other in a configuration such that the interconnected recesses are impenetrable from the opposite directions.

One non-limiting example of the above-noted configuration is shown in Fig. 8.

Regarding the above-noted feature, the outstanding Office Action acknowledges that Kenmochi does not show the configuration including “recesses open to opposite directions and interconnected to each other in a configuration such that the interconnected recesses are impenetrable from the opposite direction.”<sup>1</sup> The outstanding Office Action cites In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966) for the proposition that the claimed recess geometries are a matter of design choice absent evidence that the recited features are significant.

MPEP discusses In re Dailey as follows:

***B. Changes in Shape***

*In re Dailey*, 357 F.2d 669, 149 USPQ 47 (CCPA 1966)  
(The court held that the configuration of the claimed disposable plastic nursing container was a matter of choice which a person of ordinary skill in the art would have found obvious absent

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<sup>1</sup> Outstanding Office Action, page 3.

persuasive evidence that the particular configuration of the claimed container was significant.).<sup>2</sup>

Accordingly, when the claimed configuration is significant, the feature must be given patentable weight.

Regarding the above-noted interconnected recesses, the specification states:

[0064] As in the cleaning sheet 1' of the sixth embodiment shown in FIG. 8, the wiping sheet 12 may have no strip part 12a, and the recesses 10 of the front row may be interconnected to the recesses 10 of the rear row in such a configuration that the interconnected recesses 10 are impenetrable from the front or the rear. According to this design, the recesses 10 can have increased area, and relatively large dust particles can be collected even in the widthwise middle of the wiping portion 1A. Since the recesses 10 are impenetrable from the front or the rear, the dust once collected in the recess is not allowed to get through.<sup>3</sup>

Thus, because the recesses (10) are impenetrable from the front or rear, dust is prevented from passing through the cleaning sheet from the front to the rear. In other words, the above-noted arrangement of impenetrable recesses provides a specific benefit, which is set forth in the specification at least at numbered paragraph [0064] of the published application as shown above.

Accordingly, Applicants respectfully submit that the arrangement of recesses open to opposite directions and interconnected to each other in a configuration such that the interconnected recesses are impenetrable from the opposite directions is significant and must be given patentable weight in accordance with MPEP § 2144.04(iv)(B).

Thus, as Kenmochi fails to teach or suggest recesses open to opposite directions and interconnected to each other in a configuration such that the interconnected recesses are impenetrable from opposite directions, independent Claim 2 patentably distinguishes over Kenmochi and is in condition for allowance.

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<sup>2</sup> MPEP § 2144.04(iv)(B).

<sup>3</sup> Published specification, numbered paragraph [0064].

Regarding the rejection of Claims 1 and 4-14 as obvious over Kenmochi in view of Brown, that rejection is respectfully traversed by the present response.

Amended independent Claim 1 recites, in part:

wherein the portion of each tacky recess coated with adhesive includes first and second adjacent surfaces of the tacky recess, the first adjacent surface disposed at an angle relative to the second adjacent surface.

Accordingly, the tacky recesses include two adjacent surfaces disposed at an angle relative to one another. The adjacent surfaces each include a pressure sensitive adhesive.

One benefit of the arrangement of first and second adjacent surfaces including a pressure sensitive adhesive is that particles not large enough to contact a bottom surface of a recess may still be attached to a surface adjacent a bottom surface if the adjacent surface is at least partially coated with a pressure sensitive adhesive.

The outstanding Office Action acknowledges that Kenmochi fails to teach or suggest a pressure sensitive adhesive.<sup>4</sup> The outstanding Office Action relies on Brown for the feature of a cavity including a pressure sensitive adhesive.<sup>5</sup> However, Brown merely describes an adhesive layer (3) exposed by perforations (4) in a nonwoven fabric layer (1) as shown in Fig. 3 of Brown. Brown states:

The present cleaning sheets can include a fabric layer secured to a flexible backing layer so as to define an outer fabric surface with a plurality of cavities. While it is not required, the cavities generally include a tacky surface therein. The tacky surface typically includes pressure sensitive adhesive. In one embodiment of the invention, the cleaning sheet includes an adhesive layer disposed between a perforated fabric layer and the flexible backing layer. In such an embodiment, perforations in the fabric layer expose a portion of the adhesive layer, thereby forming an outer fabric surface with **a plurality of tacky bottomed cavities**. The other portions of adhesive layer can serve to secure the backing layer to the fabric layer.<sup>6</sup>

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<sup>4</sup> Outstanding Office Action, page 4.

<sup>5</sup> Id.

<sup>6</sup> Brown, col. 4, lines 52-64 (emphasis added).

Brown further states:

FIG. 3 shows a cross-sectional view of one embodiment of the present cleaning sheet. The nonwoven aggregate layer of the cleaning sheet is shown made of an entangled network of nonwoven fibers 1 having a plurality of holes 4 ("perforations") therethrough. Pores which can also trap debris are formed by the spaces between the entangled fibers in the nonwoven layer (i.e., debris can be retained between the fibers that form the nonwoven aggregate layer). Larger particles and other debris can be entrapped and retained by the **adhesive layer 3 which is exposed by the perforations 4 in the nonwoven fabric layer 1**. A flexible backing layer 2 is secured to the nonwoven layer 1 by the adhesive layer 3.<sup>7</sup>

Accordingly, only the bottoms of the perforations (4) are provided with any pressure sensitive adhesive. No adjacent surface to the bottoms of the perforations (4) is provided with a pressure sensitive adhesive. Accordingly, no reasonable combination of Kenmochi and Brown would include tacky recesses coated with pressure sensitive adhesive on first and second adjacent surfaces, which are disposed at an angle relative to each other as recited in amended independent Claim 1.

Amended independent Claims 6 and 7 each recite substantially similar features to those discussed above regarding amended independent Claim 1 and patentably distinguish over any proper combination of Kenmochi and Brown for at least the same reasons as amended independent Claim 1 does.

Claims 4, 5, and 14 each depend, directly or indirectly, from amended independent Claim 1 and patentably distinguish over any proper combination of the cited references for at least the same reasons as amended independent Claim 1 does.

Claims 8-13 each depend, directly or indirectly, from amended independent Claim 7 and patentably distinguish over any proper combination of Kenmochi and Brown for at least the same reasons as amended independent Claim 1 does.

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<sup>7</sup> Brown, col. 6, lines 39-50 (emphasis added).

### NEWLY ADDED DEPENDENT CLAIMS

Newly added dependent Claim 15 recites:

The cleaning sheet according to claim 1, further including pointed shapes between the tacky recesses extending beyond a leading edge of the head of the cleaning tool.

Accordingly, pointed shapes are located between the tacky recesses and extend beyond a leading edge of the head of the cleaning tool.

One benefit of the pointed shapes is to facilitate cleaning of near walls and corners.<sup>8</sup>

Kenmochi fails to disclose any such pointed shapes extending beyond the head of the cleaning tool and located between tacky recesses as recited in newly added dependent Claim 15.

Brown merely describes a cleaning sheet with perforations (4). The perforations (4) are not open to a leading edge of a cleaning head. Indeed, Brown fails to teach or suggest a cleaning head, much less any pointed shaped extending beyond a leading edge of the cleaning head as recited in newly added dependent Claim 15. Accordingly, Applicants respectfully submit that no reasonable combination of Kenmochi and Brown would include all of the features recited in newly added dependent Claim 15, and Claim 15 patentably distinguishes over the cited references for at least the reasons discussed above.

Newly added dependent Claim 16 recites:

The cleaning sheet according to claim 1, wherein the recesses each include a mouth proximate a leading edge of the head, and said mouth is wider than an intermediate section of the recess, and said intermediate section of the recess is narrower than an interior section of the recess, which interior section of the recess is farther from the leading edge than the intermediate section.

Accordingly, the recesses recited in dependent Claim 16 are narrower at an intermediate section than at a mouth or interior section.

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<sup>8</sup> Published specification, numbered paragraph [0066].

One non-limiting embodiment of the above-recited feature is shown in Fig. 7. As discussed in the specification, the arrangement recited in newly added dependent Claim 16 increases the capacity for collecting large dust particles, and the dust trapped in recesses shaped such as those recited in newly added dependent Claim 16 cannot escape the recess. The specification states:

Because the recesses 10 are so shaped as to once narrow from the widthwise middle of the wiping portion 1A toward the opening mouth and then broaden, the cleaning sheet 1' of the fifth embodiment produces the following advantages as well as the effects of the first embodiment. The dust trapped near the widthwise middle of the wiping portion 1A is prevented from getting out. The cleaning sheet has increased capacity for collecting relatively large dust particles near the middle portion thereof.<sup>9</sup>

Thus, the above-noted arrangement provides a specific benefit in preventing dust from escaping the recesses, and must be given patentable weight under MPEP § 2144.04(iv)(B). Accordingly, as neither Kenmochi nor Brown teaches or suggests the above-noted geometries of the recesses recited in newly added dependent Claim 16, newly added dependent Claim 16 patentably distinguishes over any reasonable combination of the cited references for at least the reasons discussed above.

Newly added dependent Claims 17-18 depend from independent Claim 1 and patentably distinguish over any proper combination of the cited references for at least the same reasons as independent Claim 1 does.

Additionally, neither of the cited references teaches or suggests a cleaning sheet including a row of triangles projecting from the strip in the front and rear directions as recited in newly added dependent Claim 17. Rather, the projections between the welded portions (17) described in Kenmochi are not triangular.

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<sup>9</sup> Numbered paragraph [0063], partial quotation.

Regarding newly added dependent Claim 18, neither of the cited references teaches or suggests recesses arranged as teeth of a comb.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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